



UNITED STATES BANKRUPTCY COURT  
Northern District of California  
U.S. Courthouse and Federal Building  
280 South First Street Room 3035  
San Jose, California 95113-3099  
(408) 535-5118

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Edward Emmons  
Clerk of Court

Richard W. Wieking, Clerk  
United States District Court  
280 South First Street  
San Jose, CA 95113

**FILED**

MAY 21 2014

United States Bankruptcy Court  
San Jose, California

Re: Case Name: *Booker Theodore Wade, Jr.*  
Case Number: 13-50376-SLJ  
Bankruptcy Judge Name: *Stephen L. Johnson*  
District Court #:

**CV 14.02351**

**LHK**

Dear Mr. Wieking:

[ ] Enclosed please find the Notice of Appeal, certified copy of the docket and order being appealed and related papers from BAP and designated items to form the record on appeal for assignment to a district court judge.

[X] Enclosed please find a conformed copy of the Notice of Appeal, Election to District Court document, as well as a certified copy of the docket and order being appealed for assignment to a district court judge.

[ ] Enclosed please find a conformed copy of the Notice of Appeal, Election to District Court document, a certified copy of the docket, the order being appealed, as well as Motion for Leave to Appeal / **Non-Final Order/Judgment** for assignment to a district court judge.

[ ] Enclosed please find the record of designated items and a certificate of record for an appeal that has been previously sent to the district court.

[ ] Enclosed please find the Appellant's Designation of Record.

[ ] Enclosed please find the Appellee's Designation of Record.

[ ] Enclosed please find the Statement of Issues.

☐ Enclosed please find the Motion for Leave to Appeal / *Non-Final Order/Judgment*.

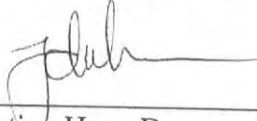
☐ Other.

Please acknowledge receipt of this appeal by stamping the district court case number on a copy of this letter and return it to Kristine Hang Du.

Edward Emmons, Clerk  
United States Bankruptcy Court

Dated: May 21, 2014

By:

  
\_\_\_\_\_  
Kristine Hang Du,  
Deputy Clerk

**FILED**

MAY 20 2014

United States Bankruptcy Court  
San Jose, California

Booker T. Wade Jr.  
605 Forest Avenue  
Palo Alto, CA 94301  
415 378 6250

In Propria Persona

**UNITED STATES BANKRUPTCY COURT OF  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

In re

BOOKER THEODORE WADE, JR

Debtor

Case No. 013-50376 SLJ

Chapter 11

**NOTICE OF APPEAL**

Booker T. Wade Jr., Debtor herein, hereby appeals under 28 U.S.C. 158(a) and Rule 8001(a) of the Rules of Bankruptcy Procedure from the order of the bankruptcy judge entered May 7, 2014, and captioned "Order Denying Approval of Disclosure Statement" declining to approve Debtor's First Amended Proposed Combined Plan of Reorganization and Disclosure Statement in this Chapter 11 reorganization proceeding. This notice of appeal is timely as it is made within fourteen days of entry of the order appealed from pursuant to Rule 8002 of the Rules of Bankruptcy Procedure.

The names of the parties to the order appealed from and the names, addresses and telephone numbers of their respective attorney are as follows:

Party

Attorneys

Arlene Stevens

Arlene Stevens [Pro Se]  
P O Box 51310  
Palo Alto, CA 94303  
[Telephone number not available]

1	Hoge Fenton Jones & Appel Inc.	Stephanie Oats
2		Hoge Fenton Jones & Appel
3		60 South Market Street, Suite 1400,
		San Jose, CA 95113-2396
		(408) 287-9501
4	The Mlnarik Group Inc.	The Mlnarik Group Inc
5		2930 Bowers Avenue
6		Santa Clara, CA 95051
		(408) 919-0088
7	Rossi Hamerslough Reischl & Chuck	David Hamerslough
8		Rossi Hamerslough Reischl & Chuck
9		1980 The Alameda Suite 299
10		San Jose, CA 95126
		(408) 261-4252
11	Rossi Hamerslough Reischl & Chuck	Wendy Smith
12		Binder & Malter
13		2775 Park Ave
14		Santa Clara, CA 95050
		(408) 295-1700
15	Campeau Goodsell Smith	William Healy
16		Campeau Goodsell Smith
17		400 North First Street #100
		San Jose, CA
		(408) 295-9555
18	Forest Villa Homeowners Association	Austin Nagel Esq.
19		Law Offices of Austin Nagel
20		111 Deerwood Dr.
21		San Ramon, CA 94583
		(925) 855-8080
22	U.S. Department of Education	Phillip Rosenfelt, General Counsel
23		U.S. Department of Education
24		400 Maryland Avenue SW
25		Washington, D.C. 20202
		(202) 401 6000
26	Discover Bank	DB Servicing Corporation
27		P O Box 3025
		New Albany, OH 43054-3025
28		(224) 405-3045



1 Miller Star Regalia

Miller Starr Regalia  
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4 JAMS INC.

JAMS INC.  
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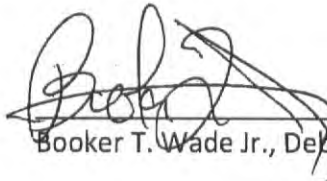
7 LVNV Funding LLC

LVNV Funding LLC  
P O Box 10497  
Greenville, SC 2903  
(866) 464 1183

10 Cavalry Portfolio Services  
11 Bank of America

Cavalry Portfolio Services (not represented)  
500 Summit Lake Drive #400  
Valhalla, NY 10596  
914 347 3140

15 May 20, 2014

18   
19 Booker T. Wade Jr., Debtor

**Certificate of Service**

The undersigned hereby certifies that on May 20, 2013, I caused to be deposited in the United States Mail, first class postage prepaid a copy of the foregoing addressed to the following:

Arlene Stevens  
P O Box 51310  
Palo Alto, CA 94303

Stephanie Oats  
Hoge Fenton Jones & Appel  
60 South Market Street, Suite 1400,  
San Jose, CA 95113-2396

The Mlnarik Group Inc  
2930 Bowers Avenue  
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Wendy Smith  
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2775 Park Ave  
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San Jose, CA


Austin Nagel Esq.  
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2 435 Tasso St  
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5 160 W. Santa Clara Street Suite 1600  
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7 LVNV Funding LLC  
8 P O Box 10497  
9 Greenville, SC 2903

10   
11 Fan Wen

12 May 20, 2014  
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**FILED**

MAY 20 2014

**UNITED STATES BANKRUPTCY COURT OF  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

United States Bankruptcy Court  
San Jose, California

In re

Case No. 13-50376 SLJ

BOOKER THEODORE WADE, JR

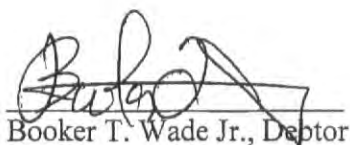
Chapter 11

Debtor

**STATEMENT OF ELECTION TO HAVE UNITED STATES DISTRICT COURT HEAR APPEAL**

Booker T. Wade, Jr., the Debtor herein, pursuant to 28 U.S.C. 158(c)(1)(A), Fed. R. Bankr. P. 8001(e), hereby elects to have the United States District Court for the Northern District of California hear this appeal.

May 20, 2014

  
Booker T. Wade Jr., Debtor

605 Forest Avenue  
Palo Alto, CA 94301  
415 378 6250



**Certificate of Service**

The undersigned hereby certifies that on May 20, 2013, I caused to be deposited in the United States Mail, first class postage prepaid a copy of the foregoing addressed to the following:

Arlene Stevens

P O Box 51310

Palo Alto, CA 94303

Stephanie Oats

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Phillip Rosenfelt, General Counsel

U.S. Department of Education

400 Maryland Avenue SW


Washington, D.C. 202020

1 Phillip Rosenfelt, General Counsel  
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14   
15 Fan Wen

16 May 20, 2014  
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Entered on Docket

May 07, 2014

EDWARD J. EMMONS, CLERK  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

The following constitutes  
the order of the court. Signed May 7, 2014

Stephen L. Johnson  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re

BOOKER T. WADE, JR.,

Debtor

Case No.: 13-50376 SLJ

Chapter 11

**ORDER DENYING APPROVAL OF  
FIRST AMENDED DISCLOSURE STATEMENT (APRIL 22, 2014)**

Debtor filed a first amended disclosure statement (Amended DS) on April 22, 2014.<sup>1</sup>

Objections were filed by creditor Hoge, Fenton, Jones & Appel, creditor Arlene Stevens,  
interested party Campeau, Goodsell & Smith, creditor Forest Villa Homeowners Association,

<sup>1</sup> The filing was not timely in view of the court's oral direction on April 3, 2014, that the revision be filed by April 15, 2014, to allow the court and parties to consider the changes made. Nevertheless, parties filed objections to the disclosure statement prior to the hearing.

ORDER ON DISCLOSURE STATEMENT

1



1 and Wells Fargo Bank. The court held a hearing on this matter on May 1, 2014, at 1:30 p.m.  
2 Appearances were noted in the record.

3 Debtor did not appear at the hearing. On April 14, 2014, Debtor filed an Ex Parte  
4 Motion to Enlarge the Time to file Amended Combined Plan of Reorganization and  
5 Disclosure Statement in which he requested an extension of time to file a revised disclosure  
6 statement and a continuance of the hearing on that disclosure statement. On April 22, 2014,  
7 Debtor filed a Request for Order on Notice of Hearing on Debtor's First Amended Proposed  
8 Combined Plan of Reorganization and Disclosure Statement, requesting the court to "issue an  
9 order and notice of hearing on the amended Plan." The setting of hearing dates and requests  
10 for continuances is governed by the Bankruptcy Local Rules. A request for a continuance of  
11 the hearing on a disclosure statement is governed by B.L.R. 3017-1(f), which provides that  
12 "[a] plan proponent desiring a continuance of the hearing on a disclosure statement shall  
13 appear at the scheduled hearing to request a continuance." The scheduled hearing was on  
14 May 1, 2014, but Debtor did not appear. Although the Amended DS was filed late, the  
15 affected creditors filed objections which the court was able to review. Accordingly, the court  
16 took the disclosure statement under submission.

17 The court notes that Debtor apparently intends to re-litigate issues he has litigated for  
18 many years in the state court. The court has cautioned Debtor that the bankruptcy court does  
19 not review the decisions of the state courts. To the extent the Amended DS describes a plan  
20 that flatly contradicts extant judgments of the Superior Court, it cannot be confirmed.

21 For the reasons indicated below, the court will deny approval of the Amended DS.

### 22 BACKGROUND

23 Debtor commenced this case in 2013, as a result of attempts by his creditors to enforce  
24 their claims against him. In particular, he sought to stay litigation pending between him and  
25 his former business and romantic partner, Arlene Stevens. In that litigation, Stevens and  
26 Debtor agreed, in a judicially supervised settlement conference, which was transcribed, to  
27  
28



1 divide and sell various jointly owned real and personal property, and to split the proceeds.<sup>2</sup>  
 2 After filing the bankruptcy case, Debtor filed a motion to treat that settlement agreement as an  
 3 executory contract, and to reject that contract. In a decision dated September 5, 2013 (docket  
 4 73), the court denied Debtor's motion. As noted in that decision, the court found that Stevens  
 5 had substantially performed on that agreement so it was no longer executory. On Arlene  
 6 Stevens's motion, the court granted relief from the automatic stay to allow the Superior Court  
 7 for the County of Santa Clara to enter judgment on that agreement.<sup>3</sup> As noted by Debtor, the  
 8 state court orally granted a motion by Stevens to enforce the settlement agreement, although a  
 9 written order has not been issued.<sup>4</sup>

10 On March 7, 2014, Debtor filed a proposed Combined Plan of Reorganization and  
 11 Disclosure Statement (March 7, 2014). At the April 3, 2014, hearing on that disclosure  
 12 statement, the court made detailed remarks addressing why the document failed to satisfy the  
 13 requirement of 11 U.S.C. § 1125 that it provide "adequate information." Among other  
 14 things, the court observed that the initial disclosure statement failed to take account of the  
 15 settlement that Debtor reached with Stevens in the state court, and the proposed distribution of  
 16 assets that settlement required. It also failed to properly treat the claim by the law firm Hoge  
 17 Fenton, which is based on a state court judgment from 2012.

18  
 19  
 20 <sup>2</sup> The major points of agreement were these: Stevens would sell real property at 3515  
 21 Tripp Road, Woodside, California, and Debtor would sell real property at 1010 Corporation  
 22 Way, Palo Alto, and 605 Forest Avenue, Palo Alto. Stevens would keep the proceeds of the  
 23 Woodside Property. Debtor would keep the proceeds of the Forest Avenue Property. Stevens  
 24 and Debtor would split the proceeds of the Corporation Way property 60%-40%.

25 <sup>3</sup> The settlement was agreed by the parties in state court but no judgment has been  
 26 entered approving the settlement, principally due to Debtor's efforts. The court granted  
 27 Stevens relief from the automatic stay to return to state court to allow it to enter the final  
 28 judgment. The court is cognizant that Debtor disagrees that the settlement should result in the  
 entry of a judgment, and of Debtor's continuing objections to the entry of that judgment.

<sup>4</sup> Debtor asserts in the Amended DS that because Stevens was late in submitting a  
 proposed order to the state court, she has forfeited her right to do so and that Debtor intends to  
 object to the state court decision on that and other grounds.

ORDER ON DISCLOSURE STATEMENT 3

Debtor's Amended DS does not address the problems identified by the court in its review of the initial disclosure statement. The court will deny approval for that reason.

### STANDARD FOR APPROVAL OF DISCLOSURE STATEMENT

A disclosure statement cannot be approved unless it contains "adequate information," as that term is defined in 11 U.S.C. § 1125(a)(1). "Precisely what constitutes adequate information in any particular instance will develop on a case-by-case basis." *In re Lisanti Foods, Inc.*, 329 B.R. 491, 507 (D. N.J. 2005). "[W]here a plan is on its face nonconfirmable, as a matter of law, it is appropriate for the court to deny approval of the disclosure statement describing the nonconfirmable plan." *In re Silberkraus*, 253 B.R. 890, 899 (Bankr. C.D.Cal. 2000)(listing cases); *see also* 7 A. Resnick & H. Sommer, *Collier on Bankruptcy* ¶ 1125.03[4] (16th ed. 2011) ("most courts will not approve a disclosure statement if the underlying plan is clearly unconfirmable on its face").

### THE AMENDED DS DOES NOT CONTAIN ADEQUATE INFORMATION

The Amended DS fails to provide adequate information in these respects:

#### A. Treatment of Condominium at 605 Forest Avenue, Palo Alto

Debtor's settlement with Stevens requires that the condominium at 605 Forest Avenue in Palo Alto ("Condo") be sold and the proceeds distributed to Debtor and Stevens. The court has granted relief from stay to Stevens to have the settlement agreement reduced to a judgment. Stevens filed an objection to the Amended DS attaching a copy of the proposed order in the state court which would effect that settlement.

Debtor's Amended DS seeks to re-write a settlement agreement that was reached under court supervision and will soon be reduced to judgment. In effect, Debtor argues that he can use his chapter 11 plan to re-write a state court judgment. As the court indicated at the April 3, 2014 hearing on the initial disclosure statement, any proposed plan and disclosure statement has to take account of the circumstances of the case. That means Debtor must file a plan that deals directly with the fact that he settled a case with Stevens which requires the Condo be sold.



1           Instead, Debtor has proposed a plan that describes a parallel universe in which he is  
2 free to deal with Condo as he chooses. He provides in Classes 1A and 1C that Villa Forest  
3 Homeowners Association and Wells Fargo Bank will be paid over the life of the plan. He  
4 proposes to treat Stevens as an unsecured creditor but pays her nothing. Debtor intends to  
5 continue to litigate the enforceability of the settlement agreement in state court, and if the  
6 state court rules against him, Debtor "will seek relief from state appellate courts and/or this  
7 Bankruptcy Court." This treatment is flatly inconsistent with the stipulation between the  
8 parties in state court that will soon be part of a final judgment. Debtor cannot retain property  
9 when he has agreed to sell it in a settlement agreement supervised by the Superior Court.

10           B.     Treatment of Hoge Fenton

11           The Hoge Fenton firm filed a proof of claim seeking \$756,919.10 for legal services  
12 rendered. Attached to that proof of claim is a copy of a judgment from the Superior Court of  
13 Santa Clara County dated October 30, 2012, in the amount of \$739,693.36. Also attached is a  
14 calculation of the \$756,919.10 amount showing the application of interest at the judgment rate  
15 applicable in California.

16           Debtor's discussion of the treatment of this claim is nonsensical. He indicates the  
17 claim is secured as a part of Class 1B. That is not true. The proof of claim does not assert the  
18 claim is secured. Furthermore, Debtor indicates that he will file an objection to the claim  
19 prior to confirmation, asserting that the amount of legal fees is excessive. In other words,  
20 Debtor proposes to pay nothing on this claim because he will have the claim disallowed.

21           Debtor's proposed treatment violates the law. The bankruptcy court does not review  
22 the decisions of California courts. *See Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 44 S.Ct.  
23 149, 68 L.Ed. 362 (1923); *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462,  
24 103 S.Ct. 1303, 75 L.Ed.2d 206 (1983) (The Rooker- Feldman doctrine provides that federal  
25 district courts lack jurisdiction to exercise appellate review over final state court judgments).  
26 Under the Rooker-Feldman doctrine, with exceptions not applicable here, this court does not  
27 have the authority to review and set aside the state court default judgment obtained by Hoge  
28

1 Fenton. Because the proposed treatment is unlawful, the Amended DS is inaccurate and does  
2 not contain adequate information.

3 C. The Liquidation Test Calculation is Demonstrably Incorrect

4 Any chapter 11 plan must satisfy the liquidation test established by 11 U.S.C. §  
5 1129(a)(7)(A). This means a debtor must show that creditors will receive at least as much as  
6 they would in a chapter 7 liquidation test.

7 Debtor's liquidation test reflects only one asset of any value, the Condo.<sup>5</sup> He  
8 estimates the Condo's fair market value is \$725,976, that the liens against the Condo total  
9 \$732,095, and that, after taking into account his exemption of \$175,000, and costs of sale of  
10 \$43,493, the Condo would generate no value for creditors. Yet he indicates the fair market  
11 value is based on an average of "(a) the indicated values as reflected by online evaluations by  
12 eappraisal and Zillow and (b) by the fair market value given the property by the first lender in  
13 November 2013 when the Debtor and Lender entered into a loan modification agreement. As  
14 of April 19, 2014, the average value for a two bedroom aged non-renovated aged condo (sic)  
15 is as shown. Eappraisal values the property at \$518,081, while Zillow places a value of  
16 \$938,842." Debtor did not disclose the fair market value given by the first lender.

17 This calculation is meaningless. Debtor appears to have averaged two figures  
18 (\$518,018 and \$938,842), and then averaged those figures again by reference to an appraisal  
19 of undisclosed value from a loan in 2013. While the court may approve a disclosure  
20 statement without an appraisal of the debtor's assets, 11 U.S.C. § 1125(b), the method of  
21 valuation used in this instance is inaccurate and does not meet the standard of providing  
22 "adequate information" to creditors.

23 D. Debtor does not earn \$6,000 per month

24 Debtor's disclosure statement indicates at Exhibit 3 that Debtor earns \$6,000 per  
25 month. That is not consistent with the Monthly Operating Reports ("MORs") on file in this  
26

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27 <sup>5</sup> As noted by the United States Trustee's objection, the Amended DS omits Debtor's  
28 interest in two escrow accounts, totaling \$478,625, that were disclosed in Schedule B.



case. According to the March 2014 MOR, Debtor earned only \$3,283 from Social Security and "miscellaneous income." Over the 16-month life of this case, Debtor has earned \$80,425.00. Excluding the \$14,500 attributable to a personal injury claim (a one-time payment received in December 2013) and \$16,656 from KMTP (which payments ceased in September 2013), Debtor earns only \$3,052.31 per month.<sup>6</sup> Although the Amended DS explains that Debtor was not employed during this case and Debtor plans to resume full-time employment, it does not explain where and what Debtor proposes to do to justify a monthly income of \$6,000.

### CONCLUSION

The proposed disclosure statement describes a plan that cannot be confirmed because it purports to vitiate state court judgments and does not adequately address the value of the Condo. 11 U.S.C. § 1129(a)(3). As such the plan is patently unconfirmable and the disclosure statement does not provide adequate information as required by 11 U.S.C. § 1125. *In re Pecht*, 57 B.R. 137, 139 (Bankr. E.D.Va. 1986) ("Not only would allowing a nonconfirmable plan to accompany a disclosure statement, and be summarized therein, constitute inadequate information, it would be misleading and it would be a needless expense to the estate."). Approval of the disclosure statement is denied.

IT IS SO ORDERED.

\*\*\* END OF ORDER\*\*\*

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<sup>6</sup> Calculated based on the figures in Debtor's Statement of Cash Receipts and Disbursements, as:

Total income	\$80,425.00
KMTP Salary	(\$16,656.00)
Personal Injury Claim	<u>(\$14,500.00)</u>
Net income	<u>\$49,260.00</u>
@ sixteen months =	\$3,079.31

ORDER ON DISCLOSURE STATEMENT 7

COURT SERVICE LIST

ECF Parties by Electronic Means Only

UNITED STATES BANKRUPTCY COURT  
for the Northern District of California

ORDER ON DISCLOSURE STATEMENT 8



DebtEd, REOPENED, APPEAL

**U.S. Bankruptcy Court**  
**Northern District of California (San Jose)**  
**Bankruptcy Petition #: 13-50376**  
**Internal Use Only**

Assigned to: Judge Stephen L. Johnson  
 Chapter 11  
 Voluntary  
 Asset

Date filed: 01/22/2013  
 Date reopened: 02/21/2013  
 341 meeting: 02/27/2013  
 Deadline for filing claims: 05/28/2013  
 Deadline for objecting to discharge: 04/29/2013

**Debtor****Booker Theodore Wade, Jr.**

605 Forest Avenue  
 Palo Alto, CA 94301  
 SANTA CLARA-CA  
 SSN / ITIN: 411-66-3897

represented by **Booker Theodore Wade, Jr.**

PRO SE

UNITED STATES BANKRUPTCY COURT  
 Northern District of California

I certify that this is a true, correct and full copy  
 of the original document on file in my custody.

Dated: 5/21/2014  
 by [Signature]  
 Deputy Clerk

**U.S. Trustee****Office of the U.S. Trustee / SJ**

U.S. Federal Bldg.  
 280 S 1st St. #268  
 San Jose, CA 95113-3004  
 ( )

represented by **John S. Wesolowski**

Office of the United States Trustee  
 280 S 1st St. #268  
 San Jose, CA 95113-0002  
 (408)535-5525




Email: [john.wesolowski@usdoj.gov](mailto:john.wesolowski@usdoj.gov)

Filing Date	#	Docket Text
01/22/2013	<u>1</u>	Chapter 11 Voluntary Petition, Fee Amount \$303.25, Filed by Booker Theodore Wade Jr.. Order Meeting of Creditors due by 1/29/2013. Incomplete Filings due by 2/5/2013. (lub). CORRECTIVE ENTRY: COURT REMOVED SECTION 521 DEADLINE FROM DOCKET TEXT. Modified on 1/23/2013 (kd). (Entered: 01/22/2013)
01/22/2013		First Meeting of Creditors with 341(a) meeting to be held on 02/27/2013 at 09:30 AM at San Jose Room 268. Last Day to Determine Dischargeability of Certain Debts due by 04/29/2013. Proof of Claim due by 05/28/2013. (lub) (Entered: 01/22/2013)
01/22/2013	<u>2</u>	Statement of Social Security Number. Filed by Debtor Booker Theodore Wade Jr. (lub) (Entered: 01/22/2013)



05/06/2014	<a href="#"><u>127</u></a>	Notice of Hearing, Certificate of Service (RE: related document(s) <a href="#"><u>126</u></a> Motion to Compel Custodian to Turnover Property of the Estate , Certificate of Service Filed by Debtor Booker Theodore Wade Jr. (kd)). <b>Hearing scheduled for 6/11/2014 at 02:00 PM at San Jose Courtroom 3099 - Johnson.</b> Filed by Debtor Booker Theodore Wade Jr. (kd) (Entered: 05/07/2014)
05/06/2014	<a href="#"><u>128</u></a>	Amended Notice of Hearing (RE: related document(s) <a href="#"><u>123</u></a> Objection to allowance of claim of U.S. Department of Education, Certificate of Service Filed by Debtor Booker Theodore Wade Jr. (kd)). <b>Hearing scheduled for 6/11/2014 at 02:00 PM San Jose Courtroom 3099 - Johnson for <a href="#"><u>123</u></a>.</b> Filed by Debtor Booker Theodore Wade Jr. (kd) (Entered: 05/07/2014)
05/07/2014	<a href="#"><u>129</u></a>	Order <b>**Denying**</b> Approval Of First Amended Disclosure Statement (RE: Related document <a href="#"><u>113</u></a> Proposed First Amended Chapter 11 Plan And Disclosure Statement) (kd) (Entered: 05/07/2014)
05/07/2014	<a href="#"><u>128</u></a>	Hearing Continued (related document(s): <a href="#"><u>108</u></a> Objection filed by Booker Theodore Wade) <b>Hearing scheduled for 06/25/2014 at 02:00 PM at San Jose Courtroom 3099 - Johnson.</b> If parties not able to resolve, debtor to file by 6/18/2014 a declaration and attach whatever evidence there is that a settlement exists between debtor and Forest Villa HOA so that the court knows that's a viable issue for trial. (tb ) (Entered: 05/07/2014)
05/07/2014	<a href="#"><u>130</u></a>	Amended Notice of Hearing (RE: related document(s) <a href="#"><u>126</u></a> Motion to Compel Custodian to Turnover Property of the Estate , Certificate of Service Filed by Debtor Booker Theodore Wade Jr. (kd)). <b>Hearing scheduled for 6/11/2014 at 02:00 PM San Jose Courtroom 3099 - Johnson for <a href="#"><u>126</u></a>.</b> Filed by Debtor Booker Theodore Wade Jr. (kd) (Entered: 05/09/2014)
05/19/2014	<a href="#"><u>131</u></a>	Brief/Memorandum in Opposition to (RE: related document(s) <a href="#"><u>126</u></a> Motion to Compel). Filed by Interested Party Campeau Goodsell Smith, a Law Corporation (Attachments: # <a href="#"><u>1</u></a> Declaration # <a href="#"><u>2</u></a> Certificate of Service) (Healy, William) (Entered: 05/19/2014)
05/20/2014	<a href="#"><u>132</u></a>	Notice of Appeal to District Court , Fee Amount \$ 0.00 <b>**Fee Not Paid**</b> . (RE: related document(s) <a href="#"><u>129</u></a> Order Denying Approval Of Disclosure Statement). Appellant Designation due by 6/3/2014. Transmission to District Court due by 6/19/2014. Filed by Debtor Booker Theodore Wade Jr. (kd) Additional attachment(s) added on 5/21/2014 (kd). (Entered: 05/21/2014)



05/20/2014	 <u>133</u>	Statement of Election to District Court, (RE: related document(s) <u>132</u> Notice of Appeal filed by Debtor Booker Theodore Wade). Filed by Debtor Booker Theodore Wade Jr. (kd) (Entered: 05/21/2014)
05/21/2014	 <u>134</u>	Transmittal of Record on Appeal to District Court (RE: related document(s) <u>132</u> Notice of Appeal). (kd) (Entered: 05/21/2014)
05/21/2014	 <u>135</u>	Courts Certificate of Mailing. Number of notices mailed: 14 (RE: related document(s) <u>132</u> Notice of Appeal, <u>133</u> Statement of Election on Appeal, <u>134</u> Transmittal of Record on Appeal). (kd) (Entered: 05/21/2014)